

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PNC BANK, NATIONAL
ASSOCIATION,

Plaintiff,

vs.

MICHAEL S. OSWALD, *et al.*,

Defendants.

CASE NO. 3:10-CV-1976

JUDGE KATZ

STIPULATION OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff, PNC Bank, National Association (“PNC”), by and through its counsel, and Defendants Michael S. Oswald (“Oswald”) and Peter Karfias (“Karfias”), by and through their counsel, pursuant to the terms of the Settlement Agreement between PNC and Oswald, dated December 12, 2011 (the “Oswald Settlement”) and the terms of a separate Settlement Agreement between PNC and Karfias, dated December 27, 2011, and hereby stipulate and request that this Court dismiss all claims and causes of action asserted in the above-captioned proceeding without prejudice.

This dismissal is without prejudice under the terms of each of the respective Settlement Agreements. Once each of the Defendants fully complies with his obligations under his respective Settlement Agreement, the dismissal shall be with prejudice as to that Defendant.

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